

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Review of the Emergency Alert System

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EB Docket No. 04-296

Terry A. Cowan, individual licensee of FM Broadcast Station KNLR, Bend, Oregon hereby comments on the proposed Review of the Emergency Alert System.

I am responding specifically to Paragraph 24. As a broadcaster I urge the Commission not to mandate participation in state and/or local EAS alerts. Most broadcasters will broadcast emergency information on their own volition albeit without the intrusion of the EAS alert tones and data. Few if any members of the general public utilize receivers capable of decoding the alert tones and data. One of the serious problems with weather alerts received from the National Weather Service (NWS) is that during an active storm a station may receive many activations from NOAA Radio which of course are transmitted serially and are very disruptive. It is much better to allow the broadcast station to group these messages and present them at the same time rather than continually interrupting programming. And in some cases, it is possible for a second activation to destroy the first activation in the EAS equipment before it is transmitted.

Some activations such as hurricane watches and warnings are totally unnecessary. Hurricane paths are usually predicted 24-48 hours in advance. Stations who have listeners in the path of a hurricane will be providing regular updates of the storm location and other information such as evacuation, shelters, etc. It is a burden to have programming interrupted by NWS or other officials while the station is providing programming which is addressing those needs. At the same time, any station that has chosen or is unable to provide programming may at its own volition broadcast NWS activations. Stations need the discretion to decide how they are going to inform the public. Stations that are "leaders" in their community will broadcast emergency information or they will not retain their leadership.

One of the biggest threats in the Pacific Northwest is forest fire in the wildland-urban interface. In Central Oregon, Deschutes County 911 has the ability to send an EAS alert from their office via a dedicated telephone line to the LP 2 station which also serves as the state relay station for Central Oregon. All local stations are urged to program their EAS decoders to pass civil emergency messages (CEM). Although as of this writing, it has not been used this permits emergency managers to broadcast a message that will be

transmitted by participating stations at night and other times personnel are not available in the studio. This is of course “voluntary” and I urge the Commission to allow it to remain so.

I am totally opposed to any change that would allow state or local authorities to “take over a station” for an unspecified amount of time as is now required for Presidential alerts.

In response to the concern that the voluntary nature of participation in state and local EAS alerts makes it difficult to find enough people to implement alerts mandatory participation does not automatically guarantee that there will be enough people to implement alerts.

Experience in Oregon with Amber Alerts shows that broadcasters do a much better job of communicating the message to the public than law enforcement personnel who tend to use “police-speak” to convey their message rather than simple English a broadcaster would use.

In short, EAS is only one “tool” a broadcaster has that helps meet local public service obligations.

I also comment on paragraph 26 of the Commission’s Inquiry.

One “size does not fit all.” Therefore I urge the Commission to allow local communities to develop their own guidelines for activation. Some situations are already defined. Generally it is the county sheriff or his designee that can “order” an evacuation. Therefore, to permit another official by Commission rules to seize the EAS system and announce an evacuation would be not only confusing and disruptive but also probably illegal at the local level.

In the case of Amber Alerts the State of Oregon has developed a very controlled procedure for activation of EAS through the Oregon State Police.

Local plans developed by the local community that understands its own political structure should be encouraged rather than a nationally mandated plan.

Since the Commission believes that “the dissemination of emergency information is a critical and fundamental component of broadcasters’ local public service obligations” it only seem reasonable that a broadcaster be permitted to originate at least certain EAS alerts when necessary. An obvious example is that of a tornado spotted by a station employee. An immediate activation can save lives.

I urge the Commission to allow monitoring of NWS to be voluntary for reasons already stated but repeated here. One of the serious problems with weather alerts is that during an active storm a station may receive many activations from NWS which of course are transmitted serially and are very disruptive. It is much better to allow the station to group

these messages and present them at the same time rather than continually interrupting programming. And in some cases, it is possible for a second activation to destroy the first activation before it is transmitted. While the latest NWS “automated voice” is better than earlier versions, it still does not match the quality of voice of a local announcer. And NOAA radio by the very nature of its “narrow-band” transmission does not approach the quality of a broadcast station.

For the above mentioned reasons, I urge the Commission to continue to allow State and Local participation to be strictly voluntary.